



# VCU Medical Center

## Office of Health Innovation

### Proposed Rule - Emergency Preparedness Requirements for Medicare and Medicaid Participating Providers

<b>Citation:</b>	78 FR 79081	<b>Description:</b> This proposed rule would establish national emergency preparedness requirements for Medicare- and Medicaid-participating providers and suppliers to ensure that they adequately plan for both natural and man-made disasters, and coordinate with federal, state, tribal, regional, and local emergency preparedness systems. It would also ensure that these providers and suppliers are adequately prepared to meet the needs of patients, residents, clients, and participants during disasters and emergency situations.
<b>Publish Date:</b>	December 27, 2013	
<b>Comments Due:</b>	February 25, 2014	
<b>Effective Date:</b>	N/A	

### Major Provisions

CMS proposes a new requirement that would require that hospitals have both an emergency preparedness program and an emergency preparedness plan.

### **Emergency Preparedness Plan**

- CMS proposes that, prior to establishing an emergency preparedness plan, the hospital and all other providers would first perform a risk assessment based on utilizing an “all-hazards” approach.
  - An all-hazards approach is an integrated approach to emergency preparedness planning. This approach does not specifically address every possible threat but ensures that hospitals and all other providers will have the capacity to address a broad range of related emergencies.
- In order to meet requirements, CMS would expect hospitals to consider, among other things, the following:
  - Identification of all business functions essential to the hospitals operations;
  - Identification of all risks or emergencies;
  - Identification of all contingencies;
  - Consideration of the hospital's location;
  - Assessment of the extent to which emergencies may cause the hospital to cease or limit operations; and
  - Determination of whether arrangements with other entities might be needed to ensure that essential services could be provided during an emergency.
- CMS proposes that that all hospitals include delegations and succession planning in their emergency plan.
- CMS proposes that a hospital have a process for ensuring cooperation and collaboration with local, tribal, regional, state, or federal emergency preparedness officials' efforts.
- The emergency preparedness plan would have to be reviewed and updated at least annually.

## **Policies and Procedures**

- CMS proposes that a hospital's policies and procedures would have to address the provision of subsistence needs for staff and patients, whether they evacuated or sheltered in place, including, but not limited to food, water, and medical supplies.
- The agency also proposes that the hospital have policies and procedures that address the provision of alternate sources of energy to maintain:
  - Temperatures to protect patient health and safety and for the safe and sanitary storage of provisions;
  - Emergency lighting; and
  - Fire detection, extinguishing, and alarm systems.
- CMS proposes that the hospital develop policies and procedures regarding a system to track the location of staff and patients in the hospital's care both during and after an emergency.
- CMS proposes that facilities would have to have policies and procedures in place to address the use of volunteers in an emergency or other emergency staffing strategies, including the process and role for integration of state or federally designated health care professionals to address surge needs during an emergency.

## **Communication Plan**

- For a hospital to operate effectively in an emergency situation, CMS proposes that the hospital be required to develop and maintain an emergency preparedness communication plan that complies with both federal and state law.
- As part of its communication plan, the hospital would be required to include in its plan:
  - Names and contact information for staff;
  - Entities providing services under arrangement;
  - Patients' physicians;
  - Other hospitals; and
  - Volunteers.

## **Training and Testing**

- CMS proposes that hospitals provide emergency preparedness training to all new and existing staff, including any individuals providing services under arrangement, and volunteers, consistent with their expected roles, and maintain documentation of such training.
- CMS proposes to require hospitals to conduct drills and exercises to test the emergency plan.
- The agency proposes that hospitals analyze their response to and maintain documentation on all drills, tabletop exercises, and emergency events, and revise the hospital's emergency plan as needed.